

January 14 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Cause No.: DA 09-0510

STATE OF MONTANA, EX REL. DEPARTMENT OF ENVIRONMENTAL
QUALITY,

PLAINTIFF/APPELLANT and CROSS-APPELLEE,

v.

BNSF RAILWAY COMPANY,

DEFENDANT/APPELLEE and CROSS-APPELLANT,

and

SWANK ENTERPRISES,

APPELLANT.

FILED

JAN 14 2010

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

UPON the unopposed Motion of the Appellant, State Of Montana, ex rel.
Department of Environmental Quality, filed at the request of the Official Court
Reporter, and seeking a thirty-day extension of time for the transmittal date
deadline for the District Court Record on Appeal and the relevant Court
Transcripts;

IT IS HEREBY ORDERED that Appellant's Motion for an Extension of Time is GRANTED. The transmittal date deadline for the District Court Record on Appeal and the relevant Court Transcripts is extended for 30 days from January 12, 2010 to February 11, 2010.

DATED this 13th day of January, 2010.


Mike McGrath, Chief Justice